

SENATE BILL 3609

By Tate

AN ACT to amend Tennessee Code Annotated, Title 2,  
relative to election procedures and equipment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, is amended by adding the following  
as a new, appropriately designated section:

2-9-1\_\_.

(a) Notwithstanding any other provision of state law to the contrary and consistent with federal law, any voting system purchased or leased with federal, state or local funds after the effective date of this act shall be optical scan machines or if the machines are touch-screen systems, a device shall be added which complies with the federal Americans with Disabilities Act, 42 USC 126, to provide a paper trail that can be reviewed by every voter utilizing the touch-screen machine to insure the accountability of every vote cast. Such systems shall maintain the secrecy of the voter's choices and the ballots produced shall be used in any recounts, contests, or random samplings for accuracy.

(b) The secretary of state and the state election commission are authorized, with the various county election commissions, to implement the provisions of this act for any new purchases and upgrades required after the effective date of this act. In addition, they are authorized to expedite the replacement or modification of any systems that are not in compliance with this act as soon as practical. Funds for the federal Help America Vote Act, Public Law 107-252 previously allocated, or any similar funds allocated in the future shall be used to the extent such funds are eligible.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.